

# Senate Study Bill 1206

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
JUDICIARY BILL BY  
CHAIRPERSON KREIMAN)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to an action for satisfaction of a mortgage.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
3 TLSB 2153XC 82  
4 av/je/5

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1 1 Section 1. Section 655.5, Code 2007, is amended to read as  
1 2 follows:  
1 3 655.5 INSTRUMENT OF SATISFACTION.  
1 4 When the judgment is paid in full, the mortgagee shall file  
1 5 with the clerk a satisfaction of judgment which shall release  
1 6 the mortgage underlying the action. A mortgagee who fails to  
1 7 file a satisfaction within thirty days of receiving a written  
1 8 request shall be subject to reasonable damages and a penalty  
1 9 of one hundred dollars plus reasonable attorney fees incurred  
1 10 by the aggrieved party, to be recovered in an action for the  
1 11 satisfaction ~~or acknowledged~~ by the party aggrieved.

### EXPLANATION

1 12 This bill specifies that if a mortgagee fails to file a  
1 13 satisfaction of judgment releasing the mortgage underlying an  
1 14 action for discharge of the mortgage, the aggrieved party is  
1 15 entitled to recover damages, a penalty, and attorney fees in  
1 16 an action for satisfaction of the mortgage.  
1 17 LSB 2153XC 82  
1 18 av:nh/je/5